



PATENT
ATTORNEY DOCKET NO. DIVER1200

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Pat. No.: 6,004,788 Art Unit: 1652
Issue Date: December 21, 1999 Examiner: N. Nashed
Inventors: Jay Short
Appl. No.: 08/503,606
Filed: July 18, 1995
Title: ENZYME KITS AND LIBRARIES

Commissioner of Patents
Washington, D.C. 20231

ATTN: CERTIFICATE OF CORRECTIONS BRANCH

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.323

Sir:

The undersigned attorney of record petitions the Commissioner for Patents for a Certificate of Correction correcting the Applicant's mistake of submitting claim 2 with wording that does not correspond to the preamble of claim 1.

It is respectfully submitted that DIVERSA CORPORATION (hereinafter "Diversa") is the assignee of the above listed patent, and petitions that the preamble of claim 2 be amended as follows:

[The method] A kit of claim 1, wherein the microorganisms are derived from an environmental sample.

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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on August 2, 2002, in an envelope addressed to: Commissioner for Patents, ATTN: Certificate of Corrections Branch, Washington, D.C. 20231

Karen LePari

Karen LePari

In re Application of:

Short

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Claims 1 and 2 were submitted as claims 13 and 14 in the Supplemental Amendment filed on April 20, 1999. The claims were submitted as issued, however claim 2 mistakenly referred to "the method of claim 1," instead of "a kit of claim 1." It is submitted that the mistake of improperly referring to claim 1 as "the method of claim 1" is a mistake of minor character. Despite the improper preamble, it is apparent that claim 2 was meant to refer to claim 1. The mistake was made in good faith and does not add new matter or require reexamination of the patent. Therefore, correction of the error is respectfully requested.

Accompanying this Request is a completed PTO form PTO/SB/44 containing the requested change.

In view of the above statements and the attachments, it is respectfully requested that a Certificate of Correction of U.S. Pat. No. 6,004,788 be issued, correcting the preamble of claim 2 to read "A kit of claim 1..."

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Short

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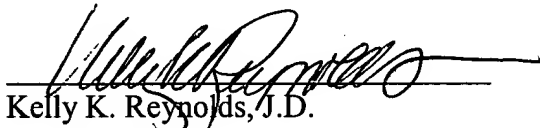
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A check in the amount of \$100.00 is enclosed with the present petition, pursuant to the requirements of 37 C.F.R. § 1.20(a). No additional fees are believed to be due, but if the Examiner determines that additional fees are required, the Examiner is authorized to charge (or apply any credits to) Deposit Account No.: 50-1355. The Examiner is invited to contact Applicant's undersigned representative if there are any questions related to this matter.

Respectfully submitted,

Date: August 2, 2002


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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO.: 6,004,788
DATED: December 21, 1999
INVENTOR(S): Jay Short

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In claim 2, please replace the "The method of claim 1..." with "A kit of claim 1..."

Gray Cary Ware & Freidenrich LLP

PATENT NO. 6,004,788

By: Lisa A. Haile, J.D., Ph.D

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